

03/02/02



jc872 U.S. PTO

PATENT
ATTY DOCKET NO.: SAA-46-1

CERTIFICATE OF EXPRESS MAILING

I do hereby certify that this correspondence is being deposited with the United States Postal Service on March 1, 2002, as Express Mail No.: ET367086196US, postage prepaid, under 37 C.F.R. § 1.10 on the date indicated above and addressed to BOX PATENT APPLICATION, Commissioner of Patents, Washington, D.C. 20231.


Karen Pyka

ET 367086196 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re U.S. Divisional Patent Application Of:)
NAISMITH et al.)

Prior Application:
Application No. 09/612,636
Filed: July 7, 2000

Mailed: March 1, 2002)

For: INPUT/OUTPUT (I/O) SCANNER FOR A)
CONTROL SYSTEM WITH PEER)
DETERMINATION)

Examiner: Not Assigned
Art Unit: Not Assigned

jc872 U.S. PTO
10/087888
03/02/02

DIVISIONAL PATENT APPLICATION
TRANSMITTAL FILING UNDER 37 C.F.R. '1.53(b)

Box Patent Application
Commissioner For Patents
Washington, D.C. 20231

Dear Sir:

This is a request for filing a divisional application of pending prior Application Serial No. 09/612,636, under 37 C.F.R. § 1.53(b). The parent application was filed on July 7, 2000, by Applicants Allan Tanzman and Dennis J.W. Dube, and is entitled "METHOD AND APPRATUS FOR AN ACTIVE STANDBY CONTROL SYSTEM ON A NETWORK", which application claims priority to U.S. Patent Application No. 09/224,196, filed December 30, 1998, entitled "INPUT/OUTPUT (I/O) SCANNER FOR A CONTROL SYSTEM WITH PEER DETERMINATION" now U.S. Patent No. 6,327,511, issued December 4, 2001.

Benefit of Prior U.S. Application

The attached divisional application being transmitted claims the benefit of a prior U.S. application, as indicated below.

Papers Enclosed

In accordance with 37 C.F.R. § 1.63(d), the specification filed herewith contains no new matter. An executed Declaration and Power of Attorney is submitted herewith.

The papers attached are as follows:

PATENT
ATTY DOCKET NO.: SAA-46-1

36 pages of Specification.

6 pages of Claims.

1 page of Abstract.

13 pages of Informal Drawings, (Figs. 1-8G).

Additional Papers Enclosed

[A copy of the original Assignment filed in the prior U.S. Application is also submitted herewith.]

Declaration or oath (including power of attorney)

As previously stated, an executed Declaration and Power of Attorney is submitted herewith, in accordance with 37 C.F.R. §1.63.

Inventorship Statement

This divisional application shares a common inventor, Allan Tanzman, with the copending parent application.

Fee Calculation (37 C.F.R. ' 1.16)

The filing fee has been calculated as shown below:

| | | | Small Entity | | or | Other Than A Small Entity | |
|--|-----------|-----------|--------------|-------|----|---------------------------|---------|
| For: | No. Filed | No. Extra | Rate | Fee | | Rate | Fee |
| Basic Fee | | | | \$370 | or | | \$740 |
| Total Claims | 38 - 20 = | 18 | x 9 = | \$ | or | x 18 = | \$324 |
| Indep. Claims | 4 - 3 = | 1 | x40 = | \$ | or | x 84 = | \$ 84 |
| 9 First Presentation of Multiple Dependent Claim | | | x140 = | \$ | or | x280= | \$0 |
| | | | Total | \$ | or | Total | \$1,148 |

_____ Check No. _____ in the amount of \$0.00 is attached.

The Commissioner is hereby authorized to charge payment or credit any overpayment to Deposit Account No. 19-3875(SAA-46-1) for the following fees associated with this communication and during the entire pendency of the Application (a duplicate copy of this sheet is attached).

X Any additional filing fees under 37 C.F.R. § 1.16(a), (f) and (g).

X Any patent application processing fees under 37 C.F.R. § 1.17.

As required under 35 U.S.C. 120, the Specification of the attached application includes the following specific reference to the earlier filed parent application:

Please address all future communications to:

Respectfully submitted,

SQUARE D COMPANY
1415 South Roselle Road
Palatine, IL 60067-7399
Telephone: 847/925-3452
Facsimile: 847/925-7419